



U.S. Department of Justice

*United States Attorney
District of New Jersey*

970 Broad Street, 7th floor
Newark, New Jersey 07102

973-645-2700

June 22, 2020

Honorable Anne E. Thompson
United States District Judge
Clarkson S. Fisher Building U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

DENIED because the Defendant has not yet been released from confinement, and the requirement that he pay \$200 a month toward his restitution obligation is not yet in effect. SO ORDERED 6/25/2020

Anne E. Thompson
ANNE E. THOMPSON, USJD

Re: *United States v. C. Tate George*, Crim. No. 12-cr-204 (AET)

Dear Judge Thompson:

This letter is respectfully submitted in lieu of a more formal submission in response to Defendant C. Tate George's Motion/Request for an Immediate Stay of Paying the Court Ordered Restitution Order Due to the COVID-19 Pandemic (Doc. No. 253). As explained below, the Defendant's Motion should be denied as moot because the Defendant has not yet been released from confinement, and the requirement that he pay \$200 a month toward his restitution obligation is not yet in effect.

In this case, the Court previously ordered that the Defendant "shall make restitution in the total amount of \$2,550,507.28" and that "in the event the entire restitution is not paid prior to the commencement of supervision, the defendant shall satisfy the amount due in monthly installments of no less than \$200, to commence 30 days after release from confinement." (Doc. No. 206 at 6).

As Defendant explains in his Motion, he is serving the remainder of his custodial sentence in home confinement, having been released from a Bureau of Prisons ("BOP") facility due to the COVID-19 pandemic. Defendant, however, has not finished serving his custodial sentence—he is merely serving the remainder of his sentence in home confinement rather than in a BOP facility. The Defendant's release date is currently July 23, 2021.

As such, the Defendant is still being supervised by BOP, and not by the United States Probation Office. Furthermore, because the Defendant has not yet finished serving his custodial sentence, the monthly \$200 payments required upon "[r]elease from confinement," are not yet required. Because the



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payments are not required until his release date, and the Defendant has not been released, the Defendant is not yet required to pay the \$200 a month. Therefore, the Court should dismiss the Defendant's request to delay or stay the \$200 monthly restitution payments as moot.

Respectfully submitted,

CRAIG CARPENITO
United States Attorney

s/ Sarah Devlin
By: SARAH DEVLIN
Assistant U.S. Attorney